IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO.73 OF 2005

Shri.Kailash Babu Thite ...Applicant

Versus

State of Maharashtra & Anr. ...Respondents

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Mr.S.D.Rairikar i/b Mr.P.B.Shaligram for Applicant.

Mr.K.V.Saste, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

MARCH 11, 2005.

P.C.

1. The order which has been questioned in this Revision Application was invited by the Applicant, as can be discerned from the observation made in Para 2 of the order. It is noted in the order that "accused is ready to deposit Rs.50,000/- today and remaining cheque amount of Rs.3,50,000/- within one month from today for the purpose of suspending the sentence passed against him by the Trial Court".

2. If it is so, it is not open to question the correctness of that order by way of Revision.

3. To get over this position, Counsel for the Applicant submits that the fact recorded in the impugned order as referred to above is incorrect.

4. Such grievance cannot be entertained before the Superior Court. If the Applicant is so advised, he may adopt the suitable remedy, as may be permissible by law, in terms of the observations made in the case of **R.S.Nayak vs. A.R.Antuley reported in AIR 1982 SC 1249**. Hence, dismissed.

A.M.KHANWILKAR, J.